

REMARKS

Applicant is in receipt of the Office Action mailed August 31, 2005. Claims 1-46 were rejected. Several of the claims have been amended to clarify the subject matter claimed as Applicant's invention. Also, new claims 47-49 have been added. Reconsideration of the present case is earnestly requested in light of the following remarks.

Section 102(b) Rejection

Claims 1-5, 7, 9, 10, 17-34, and 39-46 were rejected under 35 U.S.C. 102(b) as being anticipated by the Compumotor Motion Builder Start-up Guide and Tutorial (hereinafter "Compumotor"). Applicant respectfully traverses this rejection.

Taking claim 1 as an exemplary independent claim, the claim has been amended to recite in pertinent part, "displaying information in the first preview window which visually indicates the cumulative motion control performed by the two or more motion control operations, wherein visually indicating the cumulative motion control performed by the two or more motion control operations comprises visually indicating a spatial trajectory cumulatively performed by the two or more motion control operations." Compumotor does not teach these limitations of claim 1. Thus, Applicant respectfully submits that claim 1 is patentably distinct over Compumotor, and is thus allowable. Since claim 1 is believed to be allowable, Applicant submits that the claims dependent on claim 1 are also allowable, for at least this reason.

Inasmuch as the other independent claims have been amended to recite similar limitations as those cited above with respect to claim 1, Applicant respectfully submits that the other independent claims, and those claims dependent thereon, are also allowable.

Applicant also respectfully submits that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

Section 103(a) Rejections

Several of the dependent claims were rejected under 35 U.S.C. 103(a) based on Compumotor in combination with various other references. However, if an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is also nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Thus, Applicant respectfully submits that since the independent claims have been shown above to be patentably distinct and non-obvious over the prior art, the dependent claims are also patentably distinct and non-obvious.

Furthermore, Applicant respectfully disagrees that the Examiner has established prima facie obviousness based on the cited references. However, in light of the remarks above, as well as the amendments to the claims, Applicant believes that a detailed traversal of these claim rejections is not necessary at this time.

Official Notice

With regard to claim 13, the Examiner asserts on p. 9 of the Office Action that, “Official Notice is taken that window scaling is notoriously well known in the art. Windows employs a scaling function by clicking and dragging the corner of a window in order to reduce or enlarge the window.”

However, Applicant notes that changing the scale of displayed information is not the same as displaying a size of the window in which the information is displayed. In other words, one can resize a window, but the contents of the window typically remain displayed at the same scale. Claim 13 does not recite the limitation of re-sizing a window, but instead recites: “receiving user input specifying scale information regarding a desired scale at which to display the information in the first preview window; and displaying the information in the first preview window at a scale in accordance with the specified scale information.”

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-64400/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



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